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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,794	10/18/2001	Jay Carstens	10005736-1	3950

7590 07/29/2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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LESNIEWSKI, VICTOR D

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/035,794

Applicant(s)

CARSTENS ET AL.

Examiner

Victor Lesniewski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. The amendment filed 5/19/2005 has been placed of record in the file.
2. Claims 1, 13, 15, 16, 19, and 21 have been amended.
3. The rejection to claim 15 under 35 U.S.C. 112 is withdrawn in view of the amendment.
4. Claim 22 has been added.
5. Claims 1-22 are now pending.
6. The applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the following new grounds of rejection.

***Response to Amendment***

7. Claims have been amended to show the receiving of a request in the peripheral to perform a task. The amendment proves a change in scope to the independent claims as the independent claims now explicitly state the use of a software module to receive a request to perform a task from another device coupled to the network. However, none of the amended claims show a patentable distinction over the prior art as evidenced by the following new grounds of rejection.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-3, 6-9, and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (U.S. Patent Number 5,305,195) in view of Wolff (U.S. Patent Number 6,209,048).

10. Murphy disclosed a peripheral device or online terminal for delivering electronic content to a user. In an analogous art, Wolff disclosed a peripheral that can be remotely accessed using a URL.

11. Concerning claims 1, 13, and 16, Murphy did not explicitly state a software module to receive a request to perform a task from another device coupled to the network. However, Wolff does explicitly disclose this feature as his peripherals have the ability to act as WWW servers and are able to respond to requests from the network. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Murphy by adding the ability to receive a request to perform a task from another device coupled to the network as provided by Wolff. Here the combination satisfies the need for controlling peripherals directly from a remote location. See Wolff, column 2, lines 53-58. This rationale also applies to those dependent claims utilizing the same combination.

12. Thereby, the combination of Murphy and Wolff discloses:

- <Claim 1>

A peripheral device operable to be coupled to a computer communication network, the peripheral device comprising: a software module to receive a request to perform a task from another device coupled to the network (Wolff, column 5, lines 30-38); a content delivery device operable to deliver electronic content information (Murphy, column 7, lines 23-31); and a content delivery module coupled to the content delivery device and operable to retrieve the electronic content information, the content delivery module

further operable to determine an appropriate time to deliver the electronic content information, and operable to deliver the electronic content information via the content delivery device (Murphy, column 7, line 51 through column 8, line 2).

- <Claim 2>

The peripheral device of Claim 1, wherein the content delivery device is a display screen for visual content delivery (Murphy, figure 1, item 20).

- <Claim 3>

The peripheral device of Claim 1, wherein the content delivery device is a speaker for auditory content delivery (Murphy, column 4, lines 64-68).

- <Claim 6>

The peripheral device of Claim 1, wherein the content delivery module retrieves the electronic content information from a remote content server (Murphy, figure 2, item 30).

- <Claim 7>

The peripheral device of Claim 1, wherein the content delivery module retrieves the electronic content information from a local storage unit (Murphy, figure 5, item 74).

- <Claim 8>

The peripheral device of Claim 1, wherein the electronic content information is determined from a user identification (Murphy, column 3, lines 29-40).

- <Claim 9>

The peripheral device of Claim 1, further comprising an input device for receiving user input (Murphy, figure 5, item 82).

- <Claim 12>

The peripheral device of Claim 1 wherein the appropriate time being substantially when the content delivery device is idle (Murphy, column 7, line 61 through column 8, line 2).

- <Claim 13>

A peripheral device operable to be coupled to a computer communication network, the peripheral device comprising: a software module to receive a request to perform a task from another device coupled to the network (Wolff, column 5, lines 30-38); a content delivery device operable to deliver electronic content information (Murphy, column 7, lines 23-31); a first means for determining an appropriate time to deliver the electronic content information (Murphy, column 7, lines 51-60); a second means for retrieving the electronic content information (Murphy, column 7, lines 56-58); and a third means for delivering electronic content information via the content delivery device (Murphy, column 7, lines 58-60).

- <Claim 14>

The peripheral device of Claim 13, further comprising an input device for receiving user input (Murphy, figure 5, item 82).

- <Claim 15>

The peripheral device of Claim 13, further comprising a fourth means for detecting user identification information, wherein user identification information is used to retrieve electronic content information (Murphy, column 3, lines 11-40).

- <Claim 16>

In a peripheral device, a method of delivering electronic content information comprising: receiving a request to perform a task from another device coupled to the network (Wolff, column 5, lines 30-38); retrieving electronic content information (Murphy, column 7, lines 56-58); determining when a content delivery device coupled to the peripheral device is idle (Murphy, column 7, lines 51-56); and responsive to determining that the content delivery device is idle, delivering the electronic content information via the content delivery device (Murphy, column 7, lines 51-60).

- <Claim 17>

The method of Claim 16, wherein the content delivery device is a speaker for auditory electronic delivery (Murphy, column 4, lines 64-68).

- <Claim 18>

The method of Claim 16, wherein the content delivery device is a display screen for visual electronic delivery (Murphy, figure 1, item 20).

- <Claim 19>

The method of Claim 16, further comprising: determining a user identification (Murphy, column 3, lines 29-32); and responsive to determining the user identification, retrieving the electronic content information associated with the user identification (Murphy, column 3, lines 29-40).

- <Claim 20>

The method of Claim 19, further comprising determining accounting information associated with the user identification for placing product or service orders (Murphy, column 3, lines 29-40).

- <Claim 21>

The method of Claim 16 wherein the electronic content information is determined from the task associated with the request (Wolff, column 5, lines 30-38).

- <Claim 22>

The method of claim 21, wherein the task is a print job (Wolff, column 9, lines 61-64).

Since the combination of Murphy and Wolff discloses all of the above limitations, claims 1-3, 6-9, and 12-22 are rejected.

13. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Wolff, as applied above, further in view of Cohen et al. (U.S. Patent Number 6,076,094), hereinafter referred to as Cohen.

14. The combination of Murphy and Wolff disclosed an interactive advertising system having a plurality of remotely located terminals where each peripheral can be remotely accessed. In an analogous art, Cohen disclosed a method for broadcasting data to remote devices. Both systems communicate data from a central computer or database to remote devices.

15. Concerning claims 4 and 5, the combination of Murphy and Wolff did not explicitly disclose the scenarios where the content delivery device or the content delivery module is remotely coupled to the peripheral. However, Cohen states the use of a display board wherein



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the processing for data delivery is accomplished separate from the actual display board, which only receives the data for display. See Cohen, column 16, lines 46-56. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Murphy and Wolff by adding the ability to maintain the content delivery device or the content delivery module as remote as provided by Cohen. Here the combination satisfies the need for a system wherein data can be distributed from a central server to users at remote locations in a variety of ways. See Cohen, column 1, lines 32-38.

16. Thereby, the combination of Murphy, Wolff, and Cohen discloses:

- <Claim 4>

The peripheral device of Claim 1, wherein the content delivery device is remotely coupled to the peripheral device (Cohen, figure 8, item 230).

- <Claim 5>

The peripheral device of Claim 1, wherein the content delivery module is remotely coupled to the peripheral device (Cohen, figure 8, item 230).

Since the combination of Murphy, Wolff, and Cohen discloses all of the above limitations, claims 4 and 5 are rejected.

17. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Wolff, as applied above, further in view of Plasson et al. (U.S. Patent Number 6,795,688), hereinafter referred to as Plasson.

18. The combination of Murphy and Wolff disclosed an interactive advertising system having a plurality of remotely located terminals where each peripheral can be remotely accessed.

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In an analogous art, Plasson disclosed a method for adapting a device to be communicatively coupled in a wireless personal area network. Both systems communicate data from a central computer or host devices to remote devices.

19. Concerning claims 10 and 11, the combination of Murphy and Wolff did not explicitly disclose a sensor module that communicates with a remote electronic device. However, Plasson states the use of devices in a personal area network that are able to sense and communicate with other devices. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Murphy and Wolff by adding the ability to utilize a sensor module that communicates with a remote electronic device as provided by Plasson. Here the combination satisfies the need for a network which can efficiently accommodate its remote devices even though each device may have its own respective characteristics. See Plasson, column 5, lines 22-29.

20. Thereby, the combination of Murphy, Wolff, and Plasson discloses:

- <Claim 10>

The peripheral device of Claim 1, further comprising a sensor module (Plasson, figures 3A-B, item 340) operable to receive transmissions from a remote electronic device (Plasson, figures 3A-B, item 390).

- <Claim 11>

The peripheral device of Claim 10 wherein the sensor module is further operable to detect an electronic device within its proximity (Plasson, column 17, lines 53-67).

Since the combination of Murphy, Wolff, and Plasson discloses all of the above limitations, claims 10 and 11 are rejected.

***Conclusion***

21. The applicant's amendment necessitated the new grounds of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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